

## **EXHIBIT C**

Plaintiff Omni's Answers and Responses to  
Defendant Virtumundo's First Requests for Admission to Omni

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5 **UNITED STATES DISTRICT COURT**  
6 **WESTERN DISTRICT OF WASHINGTON**  
7 **AT SEATTLE**

8 JAMES S. GORDON, Jr., a married  
9 individual, d/b/a  
10 'GORDONWORKS.COM'; OMNI  
11 INNOVATIONS, LLC, a Washington  
12 limited liability company;

13 **Plaintiffs,**

14 v.

15 VIRTUMUNDO, INC., a Delaware  
16 corporation d/b/a  
17 ADKNOWLEDGEMAIL.COM;  
18 ADKNOWLEDGE, INC., a Delaware  
19 corporation, d/b/a  
20 ADKNOWLEDGEMAIL.COM;  
21 SCOTT LYNN and individual and his  
22 marital community; and JOHN DOES  
23 I-X,

24 **Defendants.**

**NO. CV06-0204JCC**

**PLAINTIFF OMNI'S ANSWERS  
AND RESPONSES TO DEFENDANT  
VIRTUMUNDO'S FIRST  
REQUESTS FOR ADMISSION TO  
OMNI**

25 Plaintiff Omni Innovations, LLC ("Omni") answers Defendant Virtumundo's First Requests For  
26 Admission as follows:

1. Deny.
2. Plaintiff has made reasonable inquiry and the information known or readily obtainable by him is insufficient to enable him to admit or deny this Request.
3. Admit to the extent that the format in which Omni has produced the AOMs thus far represent digital approximations of the original emails received, and may have additional information and notations inserted within the body of the AOMs for analytical purposes.
4. Admit that Omni has produced the AOMs it has thus far been able to collect and analyze. Deny that those produced thus far constitute "all" of them, as in light of the massive

PLAINTIFF GORDON'S ANSWERS AND  
RESPONSES TO DEFENDANTS' FIRST DISCOVERY

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**MERKLE SIEGEL & FRIEDRICHSEN, P.C.**  
ATTORNEYS AT LAW

1325 FOURTH AVENUE, SUITE 940  
SEATTLE, WASHINGTON 98101-2509  
PHONE: (206) 624-9392 FAX: (206) 624-0717

1 volume of the AOMs, culling and analysis continues, and additional AOMs may be  
2 found.

3 5. Deny.

4 6. Same as #2

5 7. Denied to the extent that this question calls for a legal conclusion. Admitted in part, in  
6 that Omni is only seeking statutory damages in this action.

7 8. Same as #7

8 9. Deny

9 10. This Request is vague, ambiguous, and unintelligible. Same as #2

10 11. Same as #2

11 12. Deny

12 13. Deny

13 14. Same as #2

14 15. Same as #2

15 16. Deny

16 17. Same as #2

17 18. Same as #2

18 19. Same as #2

19 20. Admitted to the extent that Omni possesses such evidence. Otherwise denied.

20 21. Same as #2

21 22. Same as #2

22 23. Deny

23 24. Same as #2

24 25. Same as #2

25 26. Same as #2

26 27. Same as #2

27 28. Same as #2

28 29. Same as #2

29 30. Same as #2

30 31. Deny

31 32. Same as #2

32 33. Same as #2

33 34. Admit

34 35. Same as #2

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PLAINTIFF GORDON'S ANSWERS AND  
RESPONSES TO DEFENDANTS' FIRST DISCOVERY

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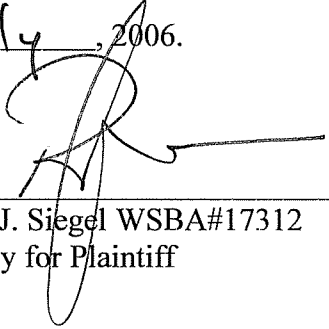
1  
2 I James S. Gordon am the principal member and owner of Omni Innovations, LLC, the plaintiff  
3 in the above-captioned Cause, and hereby declare under penalty of perjury under the laws of the  
4 State of Washington that I have read the foregoing Answers to Interrogatories and Responses,  
5 know the content thereof and believe the same to be true and complete.

6 James S. Gordon, for Plaintiff Omni

7  
8 Attorney's Certificate

9 The undersigned attorney for Plaintiff has read the foregoing Answers to Interrogatories  
10 and Responses to Requests for Production and states that they are in compliance with CR 26(g).

11 DATED this 26<sup>th</sup> day of July, 2006.

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15 Robert J. Siegel WSBA#17312  
16 Attorney for Plaintiff  
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PLAINTIFF GORDON'S ANSWERS AND  
RESPONSES TO DEFENDANTS' FIRST DISCOVERY

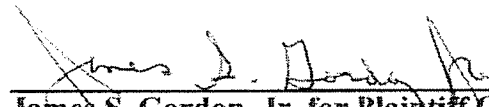
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2 I, James S. Gordon, Jr. am the principal member and owner of Omni Innovations, LLC, the  
3 plaintiff in the above-captioned Cause, and hereby declare under penalty of perjury under the  
4 laws of the State of Washington that I have read the foregoing Answers to Interrogatories and  
5 Responses, know the content thereof and believe the same to be true and complete.

6   
7  
8 **James S. Gordon, Jr. for Plaintiff Omni**

9 Attorney's Certificate

10 The undersigned attorney for Plaintiff has read the foregoing Answers to Interrogatories  
11 and Responses to Requests for Production and states that they are in compliance with CR 26(g).

12 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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15 Robert J. Siegel WSBA#17312  
16 Attorney for Plaintiff  
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PLAINTIFF GORDON'S ANSWERS AND  
RESPONSES TO DEFENDANTS' FIRST DISCOVERY